

Which cities are currently affected by the federal mandate on stormwater?

There are 17 cities and four counties in Nebraska that must develop plans to deal with this issue. Two cities, Omaha and Lincoln, must develop plans as soon as possible. The other communities that will soon be impacted include Beatrice, Bellevue, Columbus, Fremont, Girls and Boys Town, Grand Island, Hastings, Kearney, LaVista, Norfolk, North Platte, Papillion, Ralston, Scottsbluff, and South Sioux City, as well as Dakota, Douglas, Lancaster, and Sarpy counties.

What is the goal of the federal mandate?

The Clean Water Act requires major cities to obtain permits before constructing stormwater systems and for developers to obtain permits to ensure that erosion control and sediment loss programs are included at construction sites of one acre or more.

Do the local cities and NRDs cooperate now on different water issues?

Yes. In the Omaha area a special partnership of nine cities, two counties, and the Papio-Missouri River NRD are working together on a number of water issues regarding the Papillion Creek Watershed. And the City of Lincoln and Lower Platte South NRD are working together to develop and implement master plans for several watersheds in the Lincoln area. This kind of cooperation should result in cost-effective program development through shared resources, and cooperation will be instrumental in developing comprehensive stormwater management plans in these areas.

Why can't this money be collected as part of our current property taxes?

By implementing a fee specifically dedicated to stormwater management and improvements, local communities have a dedicated source of funds that could only be used for specific stormwater issues. Funds raised by property taxes are based on property values rather than the properties' proportionate stormwater contribution, and such funds could be diverted for other projects other than stormwater efforts.

When would the fee start?

No stormwater utility fee program can begin until after the Nebraska Legislature approves the fee legislation. It then must be adopted by a local governing board such as a city council or NRD board of directors, following public hearings. Remember, this legislation only allows local governing boards to develop a stormwater utility. It does not mandate that they create it, so the final decision on implementation will be made at the local level.

What can I do to help?

If you believe this fee is in the best interest of your community, visit with your State Senator and let them know how you feel about this proposed legislation.

For more information on the stormwater fee, please contact:

- Ben Higgins, City of Lincoln Public Works and Utilities, 402-441-7589
- Mike Arends, City of Omaha Public Works, 402-444-3908
- Ed Ubben, Lower Platte South Natural Resources District, 402-476-2729
- Marlin Petermann, Papio-Missouri River Natural Resources District, 402-444-6222

Or contact your local city public works department or Natural Resources District office.

THE NEED TO MANAGE STORMWATER

Certain communities in Nebraska have experienced tremendous growth in the past 30 years, with new housing and commercial developments replacing agricultural fields once on the outskirts of communities. As a result, stormwater runoff following heavy rains has greater potential to cause serious flooding problems and degrade the quality of our water for personal and recreational use.

The Nebraska Legislature is considering legislation to enable local government entities to adopt a stormwater utility fee system to provide cities, counties, and Natural Resources Districts (NRDs) the funds required to implement stormwater management plans and improvements.

What will this fee mean for you? This brochure provides answers to some of the most frequently asked questions about this issue.

What is a stormwater utility fee?

A stormwater utility fee charges property owners for their contribution to surface water runoff. Funds collected are dedicated exclusively to dealing with the problems regarding the increasing volume of water and the quality of the water flowing into our storm drainage systems and natural waterways following heavy rains. It will help address flooding problems and improve water quality in local communities.

Why do we need a special fee?

The continued growth of residential, shopping, and business areas has placed significant strains on the current storm drainage infrastructure of many communities. As a result, heavy rains have greater potential to cause significant water runoff problems, which can result in flooding and water quality degradation. The stormwater fee would be used to develop stormwater management plans and build the infrastructure needed to meet the growing needs of communities.

Just how serious is this problem?

Problems associated with stormwater runoff such as flooding, channel degradation, aquatic and riparian habitat loss, and water quality deterioration are becoming increasingly common as communities continue to grow. The federal government has now mandated that first-class cities and certain counties develop and carry out stormwater management plans. Seventeen cities and four counties in Nebraska will fall under this new mandate. Estimates of the cost associated with this need could reach hundreds of millions of dollars in Nebraska.

Is Nebraska the only state facing stormwater problems?

No. In fact, over 300 communities around the country have already implemented a stormwater fee to address this very need. Midwest communities such as Des Moines, Topeka, Wichita, Kansas City, Boulder, and Denver now have dedicated funds to deal with this situation in their communities.

How will the money raised from the fee be used?

Any dollars raised from the fee must go toward stormwater management plans and improvements. Funding will help local communities, counties, and the natural resources districts make badly needed infrastructure improvements and better plan for meeting the water quality and flood control needs of our communities in the future.

Isn't this just an example of the state imposing a fee on local taxpayers?

It's important to note that the state legislation being considered is "enabling" legislation, which means the state simply gives local governing boards the ability to design and implement a specific fee for their community. Locally elected officials in each community will decide whether or not to enact a fee.

Would a homeowner pay the same fee as a large business?

The fee would take into account where the stormwater is coming from, so it treats everyone equitably. The fee for developers, businesses, homeowners, and organizations would be based on the amount of paved land or other impervious area under their control, so the owner of a large paved parking lot would pay more than a typical homeowner.

Why shouldn't developers pay the entire fee?

Every owner of property contributes in some way to stormwater runoff, so it is only fair that every property owner contribute to the fee. The fee has been structured so it treats each group fairly, based on their contribution to the problem.

How would the conservation work of farmers be considered with this fee?

Most agricultural land is already very low in impervious cover. Thus, agricultural property is specifically exempted in the legislation.

What if a business had developed a stormwater runoff system on their own?

Businesses and organizations that have proactively developed best management practices, such as stormwater retention basins and water quality measures, would be credited for their own efforts to reduce stormwater runoff.

Is there any idea what the fee would cost?

In most other cities where the fee has been enacted, the cost to a local homeowner has been between \$3 a month and \$10 a month, which is a small price to pay for better flood control and water quality in their community.

Who would administer the fee?

That would be decided at the local level. In most cases, the city, county, or natural resources district would administer the plan.

What if a city, county, or NRD all want to charge a fee in the same community?

The proposed legislation specifically states that no parcel of land can be charged by more than one entity, so that could not happen. Cities and NRDs must work together to determine what to do in their community.

Why can't cities, counties, and the NRDs do this work with existing funds?

Funds for flood control, water quality, and conservation efforts are already in short supply, while the costs to create stormwater master plans and to make improvements to infrastructure, water quality, and flood control are in the millions of dollars. A fee would provide a dedicated amount of funds to meet the stormwater needs in each community.